

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

Complete if Known

Application Number 10/768,785  
Filing Date January 30, 2004  
First Named Inventor Peter C. Zhu  
Examiner Name Witherspoon, Sikarl A.  
Art Unit 1621  
Attorney Docket No. 56301P5014

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | 13 - 20* = 0 | 18.00          | \$0.00   |
| Independent Claims | 3 - 3* = 0   | 88.00          | \$0.00   |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                         |
| 1203         | 300      | 2203         | 150      | Multiple Dependent claim, if not paid                     |
| 1204         | 88       | 2204         | 44       | **Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                       |          | Small Entity |          | Fee Description  | Fee Paid    |
|------------------------------------|----------|--------------|----------|--|-------------|
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |  |             |
| 1051                               | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |             |
| 1052                               | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |             |
| 2053                               | 130      | 2053         | 130      | Non-English specification  |             |
| 1812                               | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |             |
| 1804                               | 920 *    | 1804         | 920 *    | Requesting publication of SIR prior to Examiner action                     |             |
| 1805                               | 1,840 *  | 1805         | 1,840 *  | Requesting publication of SIR after Examiner action                        |             |
| 1251                               | 110      | 2251         | 55       | Extension for reply within first month                                     |             |
| 1252                               | 430      | 2252         | 215      | Extension for reply within second month                                    |             |
| 1253                               | 980      | 2253         | 490      | Extension for reply within third month                                     |             |
| 1254                               | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |             |
| 1255                               | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |             |
| 1404                               | 340      | 2401         | 170      | Notice of Appeal   |             |
| 1402                               | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |             |
| 1403                               | 300      | 2403         | 150      | Request for oral hearing   |             |
| 1451                               | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |             |
| 1452                               | 110      | 2452         | 55       | Petition to revive - unavoidable   |             |
| 1453                               | 1,370    | 2453         | 685      | Petition to revive - unintentional   |             |
| 1501                               | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |             |
| 1502                               | 490      | 2502         | 245      | Design issue fee   |             |
| 1503                               | 660      | 2503         | 330      | Plant issue fee  |             |
| 1460                               | 130      | 2460         | 130      | Petitions to the Commissioner  |             |
| 1807                               | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |             |
| 1806                               | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  | 180.00      |
| 8021                               | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |             |
| 1809                               | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |             |
| 1810                               | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |             |
| 1801                               | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |             |
| 1802                               | 900      | 1802         | 900      | Request for expedited examination of a design application                  |             |
| Other fee (specify)                |          |              |          |  |             |
| * Reduced by Basic Filing Fee Paid |          |              |          |  |             |
| SUBTOTAL (3)                       |          |              |          |  | (\$) 180.00 |

## SUBMITTED BY

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48,011

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(303) 740-1980

Signature

Brent E. Vecchia

Date

Nov. 23, 2004



Docket No.: 56301P5014

FFW\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the application of:

PETER C. ZHU, ET AL.

Application No.: 10/768,785

Filed: January 30, 2004

For: **SYNTHESIS OF 4-SUBSTITUTED  
PHTHALALDEHYDE**

Art Group: 1621

Examiner: Witherspoon, Sikarl A.

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

11/30/2004 MAHMED1 00000037 10768785

01 FC:1806

180.00 OP

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Nov. 23, 2004

Brent E. Vecchia

Brent E. Vecchia, Reg. No. 48,011

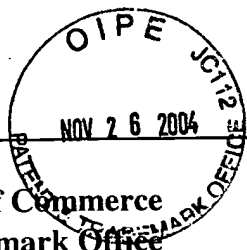
12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (303) 740-1980

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Krista Mathieson Nov. 23, 2004

*Krista Mathieson*

*Date*



US Department of Commerce  
Patent and Trademark Office

Form PTO-1449 (Modified)

Atty. Docket No.:  
056301.P5014

Application No.:  
10/768,785

Applicant:  
Peter C. Zhu, et al.

Filing Date:  
January 30, 2004

### US Patent Documents

| Examiner's<br>Initials | Date     | Document<br>Number | Name            | Class | Sub-<br>Class | Filing Date |
|------------------------|----------|--------------------|-----------------|-------|---------------|-------------|
|                        | 01/09/62 | 3,016,328          | Pepper et al.   |       |               |             |
|                        | 10/14/75 | 3,912,450          | Boucher         |       |               |             |
|                        | 07/06/76 | 3,968,248          | Boucher         |       |               |             |
|                        | 07/06/76 | 3,968,250          | Boucher         |       |               |             |
|                        | 03/13/84 | 4,436,754          | Jacobs          |       |               |             |
|                        | 06/03/86 | 4,592,892          | Ueno et al.     |       |               |             |
|                        | 09/01/87 | 4,690,772          | Tell et al.     |       |               |             |
|                        | 05/16/89 | 4,831,449          | Kimura          |       |               |             |
|                        | 07/11/89 | 4,847,304          | Bruckner et al. |       |               |             |
|                        | 07/25/89 | 4,851,449          | Bruckner et al. |       |               |             |
|                        | 11/20/90 | 4,971,999          | Bruckner et al. |       |               |             |
|                        | 7/7/1992 | 5,128,051          | Theis et al.    |       |               |             |
|                        | 03/09/93 | 5,192,459          | Tell et al.     |       |               |             |
|                        | 02/14/95 | 5,389,685          | Smith et al.    |       |               |             |
|                        | 02/27/96 | 5,494,637          | Barlow          |       |               |             |
|                        | 07/30/96 | 5,540,326          | Arnold et al.   |       |               |             |
|                        | 09/24/96 | 5,558,841          | Nakagawa et al. |       |               |             |
|                        | 10/22/96 | 5,567,385          | Miller et al.   |       |               |             |
|                        | 12/23/97 | 5,700,377          | Cox             |       |               |             |
|                        | 06/02/98 | 5,761,069          | Weber et al.    |       |               |             |
|                        | 01/26/99 | 5,863,547          | Miner           |       |               |             |

### Foreign Patent Documents

| Examiner's<br>Initials | Date | Document<br>Number | Country | Class | Sub-<br>Class | Translation |
|------------------------|------|--------------------|---------|-------|---------------|-------------|
|------------------------|------|--------------------|---------|-------|---------------|-------------|

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

|          |                 |
|----------|-----------------|
| Examiner | Date Considered |
|----------|-----------------|

Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through the citation if not in conformance and not considered. Include a copy of this form with the next communication to the applicant

|   |             |   |   |              |                                       |                    |
|---|-------------|---|---|--------------|---------------------------------------|--------------------|
| <b>US Department of Commerce<br/>Patent and Trademark Office</b><br><br><b>Form PTO-1449 (Modified)</b> |             |   | <b>Atty. Docket No.:</b><br>056301.P5014  |              | <b>Application No.:</b><br>10/768,785 |                    |
|   |             |   | <b>Applicant:</b><br>Peter C. Zhu, et al. |              |                                       |                    |
|   |             |   | <b>Filing Date:</b><br>January 30, 2004   |              |                                       |                    |
| <b>US Patent Documents</b>  |             |   |   |              |                                       |                    |
| <b>Examiner's<br/>Initials</b>  | <b>Date</b> | <b>Document<br/>Number</b>  | <b>Name</b>                               | <b>Class</b> | <b>Sub-<br/>Class</b>                 | <b>Filing Date</b> |
|   | 08/10/99    | 5,936,001   | Block                                     |              |                                       |                    |
|   | 06/06/00    | 6,071,972   | Block                                     |              |                                       |                    |
|   | 06/27/00    | 6,080,789   | Lutz                                      |              |                                       |                    |
|   | 10/02/01    | 6,297,285   | Lutz                                      |              |                                       |                    |
|   | 10/30/01    | 6,309,658   | Xia et al.                                |              |                                       |                    |
|   | 10/01/02    | 6,458,554   | Hui et al.                                |              |                                       |                    |
|   | 10/10/95    | DES. 363,019  | Arnold et al.                             |              |                                       |                    |
|   |             |   |   |              |                                       |                    |
| <b>Foreign Patent Documents</b>   |             |   |   |              |                                       |                    |
| <b>Examiner's<br/>Initials</b>  | <b>Date</b> | <b>Document<br/>Number</b>  | <b>Country</b>                            | <b>Class</b> | <b>Sub-<br/>Class</b>                 | <b>Translation</b> |
|   | 11/11/97    | 11-140010   | JAPAN                                     |              |                                       | Yes                |
|   |             |   |   |              |                                       |                    |
| <b>Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)</b>                           |             |   |   |              |                                       |                    |
|   |             | CIDEX® OPA, High Level Disinfecting Solution, Technical Info. Advanced Sterilization Products® , © 2004. Pgs. 1-4.  |   |              |                                       |                    |
|   |             | CIDEX® OPA Solution, And Speed Has Its Advantages! © ASP© 2001, 1 pg.   |   |              |                                       |                    |
|   |             | CIDEX® OPA SOLUTION Retrieved on 8/7/2003; Retrieved online at:   |   |              |                                       |                    |
|   |             | <a href="http://www.cidex.com/products_&amp;_services/cidex/cidex_opa/index.asp">http://www.cidex.com/products_&amp;_services/cidex/cidex_opa/index.asp</a> . Pgs 1-2.  |   |              |                                       |                    |
|   |             | E.G.M. Power & A.D. Russell; "Sporicidal action of alkaline glutaraldehyde: factors influencing activity and a comparison with other aldehydes"; Journal of Applied Bacteriology 1990,69, pgs. 261-268.                         |   |              |                                       |                    |
|   |             | Jose-Luis Sagripanti and Aylin Bonifacino; Food Biological Contaminants; "Effects of Salt and Serum on the Sporocidal Activity of Liquid Disinfectants"; Journal of AQAC International, Vol. 80, No. 6, 1997; pgs. 1198 - 1207. |   |              |                                       |                    |
| <b>Examiner</b>   |             |   | <b>Date Considered</b>                    |              |                                       |                    |

Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through the citation if not in conformance and not considered. Include a copy of this form with the next communication to the applicant

|   |  |   |                            |                                       |              |                       |                    |
|---|--|---|----------------------------|---------------------------------------|--------------|-----------------------|--------------------|
| <b>US Department of Commerce</b><br><b>Patent and Trademark Office</b><br><br><b>Form PTO-1449 (Modified)</b> |  | <b>Atty. Docket No.:</b><br>056301.P5014  |                            | <b>Application No.:</b><br>10/768,785 |              |                       |                    |
|   |  | <b>Applicant:</b><br>Peter C. Zhu, et al.   |                            |                                       |              |                       |                    |
|   |  | <b>Filing Date:</b><br>January 30, 2004   |                            |                                       |              |                       |                    |
| <b>US Patent Documents</b>  |  |   |                            |                                       |              |                       |                    |
| <b>Examiner's<br/>Initials</b>  |  | <b>Date</b>   | <b>Document<br/>Number</b> | <b>Name</b>                           | <b>Class</b> | <b>Sub-<br/>Class</b> | <b>Filing Date</b> |
|   |  |   |                            |                                       |              |                       |                    |
| <b>Foreign Patent Documents</b>   |  |   |                            |                                       |              |                       |                    |
| <b>Examiner's<br/>Initials</b>  |  | <b>Date</b>   | <b>Document<br/>Number</b> | <b>Country</b>                        | <b>Class</b> | <b>Sub-<br/>Class</b> | <b>Translation</b> |
|   |  |   |                            |                                       |              |                       |                    |
| <b>Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)</b>                                 |  |   |                            |                                       |              |                       |                    |
|   |  | Hiroshi KURONUMA, Journal of Japanese Society of Hospital Pharmacists, Vol. 36, No. 1, 2000. In Japanese; translation of introduction. "Stability of Ortho-Phthalaldehyde Solutions under Various Storage Conditions". Pgs. 55-58 |                            |                                       |              |                       |                    |
|   |  | B. Setlow, et al.; "Mechanisms of killing spores of Bacillus subtilis by acid, alkali and ethanol"; Journal of Applied Microbiology 2002, 92, pgs. 362-375.   |                            |                                       |              |                       |                    |
|   |  | Anthony C. H. Durham; "A Survey of Readily Available Chelators for Buffering Calcium ION Concentrations in Physiological Solutions", Cell Calcium 4: pgs. 33-46, 1983.  |                            |                                       |              |                       |                    |
|   |  | S.D. Rubbo, et al.; (Symposium of Chemical Disinfection: Paper VIII); "Biocidal Activities of Glutaraldehyde and Related Compounds", 1967, J. Appl. Bact. 30(1) pgs. 78-  |                            |                                       |              |                       |                    |
|   |  |   |                            |                                       |              |                       |                    |
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| <b>Examiner</b>   |  |   |                            | <b>Date Considered</b>                |              |                       |                    |

Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through the citation if not in conformance and not considered. Include a copy of this form with the next communication to the applicant